

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO  
**SENTENCING MINUTE SHEET**

CR No.	05-1849 JH		USA vs.	Hotthan						
Date:	July 29, 2008		Name of Deft:	Matthew Hotthan						
Before the Honorable		Judith C. Herrera								
Time In/Out:		11:43 a.m. - 12:03 a.m. (20 minutes)			Type of Proceeding:	Sentencing - Non Evidentiary				
Clerk:		I. Duran			Court Reporter:	P. Baca				
AUSA:		James Braun			Defendant's Counsel:	Stephen D. Aarons				
Sentencing in:		Albuquerque, New Mexico			Interpreter:	None				
Probation Officer:		Anthony Galaz			Sworn?	Yes		No		
Convicted on:		<input checked="" type="checkbox"/>	Plea		Verdict	As to:	<input checked="" type="checkbox"/>	Information		Indictment
If Plea:		<input checked="" type="checkbox"/>	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:				
Date of Plea/Verdict:		June 6, 2007			PSR:	<input checked="" type="checkbox"/>	Not Disputed		Disputed	
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed		Needed	
Exceptions to PSR:										

**SENTENCE IMPOSED**

Imprisonment (BOP): 953 days or time served, whichever is less

Supervised Release: 3 years Probation: 500-Hour Drug Program

**SPECIAL CONDITIONS OF SUPERVISION**

	No re-entry without legal authorization		Home confinement for	months	days	
	Comply with ICE laws and regulations		Community service for	months	days	
	ICE to begin removal immediately or during sentence		Reside halfway house	months	days	
<input checked="" type="checkbox"/>	Participate in substance abuse program/drug testing		Register as sex offender			
<input checked="" type="checkbox"/>	Participate in mental health program		Participate in sex offender treatment program			
<input checked="" type="checkbox"/>	No alcohol/liquor establishments		Possess no sexual material			
<input checked="" type="checkbox"/>	Submit to search of person/property		No computer with access to online services			
<input checked="" type="checkbox"/>	No contact with co-Deft(s)		No contact with children under 18 years			
	No entering, or loitering near, victim's residence		No volunteering where children supervised			
	Provide financial information		Restricted from occupation with access to children			
	Grant limited waiver of confidentiality		No loitering within 100 feet of school yards			
<input checked="" type="checkbox"/>	OTHER: Standard & Mandatory Conditions: Participate & submit in DNA collection; No firearms; Deft shall reside at the Halfway House for 37 days as a condition.					

Fine: \$ **0** Restitution: \$SPA: \$ 100.00 (\$100 as to each Count) Payment Schedule:  Due Immediately  Waived

OTHER:

<input checked="" type="checkbox"/>	Advised of Right to Appeal		Waived Appeal Rights per Plea Agreement						
<input checked="" type="checkbox"/>	Held in Custody		Voluntary Surrender						
	Recommended place(s) of incarceration:								
	Dismissed Counts:								

OTHER COMMENTS	Defense counsel addresses Ct. & has no objections to PSR. Ct. accepts deft's plea of guilty. Defense asks for a minor variance of less than 30 days. Defense notes his progress at Halfway House & requests that the deft be allowed to leave the Halfway House to work at other employment. Defense tenders an evaluation on deft's progress. Deft addresses Ct. Ct. notes deft's family present in Court. Govt. addresses Ct. & does not oppose a sentence of time-served. Probation approaches bench.. Bench conference held. Ct has reviewed PSR & findings & considers sentencing guidelines & 3553 factors. Ct. notes deft's history & characteristics. Ct. grants a variance under 3553. Ct. imposes sentence. Deft will stay at La Pasada for 37 days as a condition.
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